

## SECOND/THIRD READING SUMMARY SHEET

**ZONING CASE NUMBER:** C14-2010-0096 (Boardwalk Rezoning)

**REQUEST:**

Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code, zoning the property locally known as 13215 Research Boulevard (North U.S. Highway 183) from GR-CO, Community Commercial Services-Conditional Overlay District, zoning to GR-CO, Community Commercial Services-Conditional Overlay District, zoning.

The ordinance reflects the conditions imposed by the City Council on 1<sup>st</sup> reading.

**PROPERTY OWNER:** Douglas L. Harbison

**AGENT:** Holford Group (Kerby Smith)

**DEPARTMENT COMMENTS:**

The property in question is currently developed with a vacant service station (Shell Station). There is an office center to the north, across Boardwalk Drive. To the south, there is an Automotive Rental business (Enterprise Rent-A-Car). The properties to the east are developed with light industrial and commercial uses (Construction Sales and Services: Safeway Rental). The applicant is requesting a re-zoning to amend the existing conditional overlay on the site under consideration to allow for an Automotive Sales use (Please see request letter – Attachment A).

The staff is recommending GR-CO zoning for the property because the site meets the intent of the Community Commercial district. The GR-CO zoning would be consistent with the adjacent GR and GR-CO zoning to the north and west and the CS-CO zoning to the east. The proposed GR-CO zoning would permit the applicant to utilize a vacant site that fronts onto a major arterial roadway for additional commercial uses.

The applicant agrees with the City Council's recommendation at 1<sup>st</sup> reading.

**DATE OF FIRST READING/VOTE:** August 26, 2010

**ACTION:** Approved first reading for GR-CO zoning to change a condition of zoning on consent (7-0); Spelman-1<sup>st</sup>, Martinez-2<sup>nd</sup>.

**CITY COUNCIL DATE:** September 30, 2010




**CITY COUNCIL ACTION:**

**ASSIGNED STAFF:** Sherri Sirwaitis

**PHONE:** 974-3057

sherri.sirwaitis@ci.austin.tx.us



 SUBJECT TRACT  
 PENDING CASE  
 ZONING BOUNDARY

**ZONING CASE#:** C14-2010-0096  
**LOCATION:** 13215 N US 183 HWY  
**SUBJECT AREA:** 0.74 ACRES  
**GRID:** G37  
**MANAGER:** SHERRI SIRWAITIS



This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

## ZONING CHANGE REVIEW SHEET

**CASE:** C14-2010-0096 (Boardwalk Rezoning)

**ZAP DATE:** August 3, 2010

**ADDRESS:** 13215 Research Boulevard (North U.S. Highway 183)

**OWNER/APPLICANT:** Douglas L. Harbison

**AGENT:** Holford Group (Kerby Smith)

**ZONING FROM:** GR-CO      **TO:** GR-CO

**AREA:** 0.726 acres (31,641 sq. ft.)

### **SUMMARY STAFF RECOMMENDATION:**

The staff's recommendation is to grant GR-CO, Community Commercial Services-Conditional Overlay District, zoning. The conditional overlay would limit the development intensity on the site to less than 2,000 vehicle trips per day and would prohibit Automotive Rentals, Automotive Repair and Automotive Washing (of any type) uses on the property.

### **ZONING & PLATTING COMMISSION RECOMMENDATION:**

8/03/10: Approved staff's recommendation of GR-CO zoning by consent (6-0, T. Rabago-absent); G. Bourgeios-1<sup>st</sup>, D. Tiemann-2<sup>nd</sup>.

### **DEPARTMENT COMMENTS:**

The property in question is currently developed with a vacant service station (Shell Station). There is an office center to the north, across Boardwalk Drive. To the south, there is an Automotive Rental business (Enterprise Rent-A-Car). The properties to the east are developed with light industrial and commercial uses (Construction Sales and Services: Safeway Rental). The applicant is requesting a re-zoning to amend the existing conditional overlay on the site under consideration to allow for an Automotive Sales use (Please see request letter – Attachment A).

The staff is recommending GR-CO zoning for the property because the site meets the intent of the Community Commercial district. The GR-CO zoning would be consistent with the adjacent GR and GR-CO zoning to the north and west and the CS-CO zoning to the east. The proposed GR-CO zoning would permit the applicant to utilize a vacant site that fronts onto a major arterial roadway for additional commercial uses.

The applicant agrees with the staff's recommendation.

### **EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	GR-CO	Vacant
<i>North</i>	GR	Office Center (Alpine Insurance, Medical Office)
<i>South</i>	LR	Automotive Rentals (Enterprise Rent-A-Car)
<i>East</i>	CS-CO, LI-CO	Construction Sales and Services (Safeway Rental)
<i>West</i>	GR	Commercial Retail

**AREA STUDY:** N/A

**TIA:** Waived

**WATERSHED:** Lake Creek

**DESIRED DEVELOPMENT ZONE:** Yes

**CAPITOL VIEW CORRIDOR:** N/A

**HILL COUNTRY ROADWAY:** N/A

**NEIGHBORHOOD ORGANIZATIONS:**

Austin Monorail Project  
Austin Parks Foundation  
Bull Creek Foundation  
Home Builders Association of Greater Austin  
Homeless Neighborhood Association  
League of Bicycling Voters  
Long Canyon Homeowners Association  
Sierra Club, Austin Regional Group  
Spicewood Springs Road Tunnel Coalition  
Super Duper Neighborhood Objectors and Appealers Organization  
Tanglewood Estates Neighborhood Association  
The Real Estate Council of Austin, Inc.

**CASE HISTORIES:**

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2009-0136 (13216 Pond Springs Road)	I-RR to CS-CO	12/01/09: Approved CS-CO zoning, with Limited Warehousing and Distribution as the only permitted 'CS' district use, all other permitted 'GR' district uses, and limit the development intensity on the site to less than 2,000 vehicle trips per day (7-0); P. Seager-1 <sup>st</sup> , T. Rabago-2 <sup>nd</sup> .	12/17/09:
C14-06-0157	I-SF-2 to Tract 1: CS Tract 2: CS-1	9/05/06: 1 <sup>st</sup> Motion: Approved staff's recommendation of GR-CO for Tract 1 and CS-1-CO for Tract 2, with additional condition to prohibit Pawn Shop Services, by consent (8-0, J. Shieh-absent); J. Martinez-1 <sup>st</sup> , S. Hale-2 <sup>nd</sup> .  2 <sup>nd</sup> Motion: To rescind and reconsider 1 <sup>st</sup> motion (6-0, J. Shieh-absent; T. Rabago, J. Martinez-off dias); J. Gohil-1 <sup>st</sup> , K. Jackson-2 <sup>nd</sup> .  3 <sup>rd</sup> Motion: To postpone	12/07/06: Approved the ZAP recommendation, striking the requirement for double door access from the bar (Tract 2) to the deck (Tract 3) and adding a the bar (Tract 2) to the deck (Tract 3) and adding a condition for speakers be removed from the deck area (7-0).  4/12/06: Approved GR-CO zoning for Tract 1, CS-1-CO zoning for Tract 2, and GR-CO zoning for Tract 3 (6-0);

		<p>and place on the September 19, 2006 ZAP Agenda (6-0, J. Shieh-absent; T. Rabago, J. Martinez-off dias); J. Gohil-1<sup>st</sup>, K. Jackson-2<sup>nd</sup>.</p> <p>9/19/06: Continued to October 3, 2006 by Zoning and Platting Commission (7-0, J. Martinez, J. Pinnelli-absent); S. Hale-1<sup>st</sup>, J. Shieh-2<sup>nd</sup>.</p> <p>10/03/06: Postponed to November 7, 2006 by the applicant (7-0, K. Jackson, J. Pinnelli-absent); J. Martinez-1<sup>st</sup>, S. Hale-2<sup>nd</sup>.</p> <p>11/07/06: Approved staff's recommendation of GR-CO zoning for Tract 1 (shopping center), CS-1-CO zoning for Tract 2 (bar area), and GR-CO zoning for newly created Tract 3 (deck area). The Commission added the following conditions to Tract 2: Prohibit Adult Oriented Businesses; To require double door access to the deck from the bar (if allowable by Code and Building Permit regulations); To place permanent signage on the property at the driveway entries to restrict motorcycle parking in the rear/alleyway. To place permanent signage along the fence/property line between the residential site to the west and the property in question designating the parking spaces in the rear/alleyway as, "Employee Parking Only". To construct an 8-foot masonry/or sound retardant</p>	2 <sup>nd</sup> /3 <sup>rd</sup> readings
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		fence around the deck to mitigate sound emanating from the deck. The Commission also placed the following conditions on Tract 3 (the deck area): Place an 85 decibel limit (in accordance with LDC Sec. 9-2-4) on the deck to reduce noise emanating from the deck. Restrict amplified sound on the deck. Place permanent signage on the deck for noise mitigation. Remove the pool table off of the deck. Vote: (7-2, B. Baker, J. Martinez- No); J. Shieh- 1 <sup>st</sup> , S. Hale-2 <sup>nd</sup> .	
C14-06-0107	I-SF-2 to LI	6/20/06: Approved staff's recommendation for LI-CO zoning by consent (7-0, J. Gohil, S. Hale – absent)	7/27/06: Approved LI-CO district zoning (7-0); all 3 readings
C14-05-0143	I-RR to Tract 1: GR, Tract 2: CS-1	9/20/05: Approved GR-CO for Tract 1 and CS-1-CO for Tract 2, prohibit on-site consumption, limit to 2,000 vehicle trips per day (9-0)	10/27/05: Approved GR-CO zoning for Tract 1, CS-1-CO zoning for Tract 2 by consent (6-0, Alvarez-off dias); all 3 readings
C14-04-0157	I-RR to CS	11/2/04: Approved staff's recommendation of CS-CO zoning by consent (9-0)	12/02/04: Approved CS-CO (7-0); all 3 readings
C14-03-0169	I-SF-2 to CS-CO	12/16/03: Approved staff's recommendation for CS-CO by consent (8-0, C. Hammond-absent)	1/15/04: Approved PC rec. of CS-CO by consent (6-0, McCracken-off dias); all 3 readings
C14-02-0159	I-RR to GR-CO	10/29/02: Approved staff's recommendation of GR-CO zoning with the deletion of Congregate Living as a prohibited use, by consent (7-0, A. Adams-absent)	12/05/02: Granted GR-CO on all 3 readings (7-0), the CO limits site to less than 2,000 vehicle trips per day and prohibits the following uses: Automotive Rentals, Automotive Repair Services, Automotive Sales, Automotive Washing (of any type), Commercial

			Off-Street Parking, Drop-Off Recycling Collection Facility, Exterminating Services, Funeral Services, Hotel-Motel, Indoor Entertainment, Indoor Sports and Recreation, Outdoor Entertainment, Outdoor Sports and Recreation, Pawn Shop Services, Research Services, Service Station, Theater, Guidance Services, Residential Treatment
C14-02-0158	I-RR to GR-CO	10/29/02: Approved staff's recommendation of GR-CO zoning with the deletion of Congregate Living as a prohibited use, by consent (7-0, A. Adams-absent)	12/05/02: Granted GR-CO on all 3 readings (7-0), the CO limits site to less than 2,000 vehicle trips per day and prohibits the following uses: Automotive Rentals, Automotive Repair Services, Automotive Sales, Automotive Washing (of any type), Commercial Off-Street Parking, Drop-Off Recycling Collection Facility, Exterminating Services, Funeral Services, Hotel-Motel, Indoor Entertainment, Indoor Sports and Recreation, Outdoor Entertainment, Outdoor Sports and Recreation, Pawn Shop Services, Research Services, Service Station, Theater, Guidance Services, Residential Treatment
C14-01-0163	I-RR to CS-CO	12/11/01: Approved staff's recommendation of CS-CO zoning, adding a condition prohibiting vehicle storage (6-0, A. Adams, V. Aldridge-Left Early)	1/17/02: Approved CS-CO on 3 readings (6-0, Wynn out of room)
C14-01-0111	I-RR, SF-2 to	11/27/01: Approved staff	1/10/02: Postponed to

	GR	rec. of GR by consent (8-0)	1/31/02 at the request of the applicant (7-0)  1/31/02: Approved GR on all 3 readings (6-0, Goodman-off dias)
C14-01-0074	I-RR to LI	6/19/01: Approved staff's alternate recommendation of CS-CO district zoning, with CO limiting the site to 2,000 vtpd, by consent (7-1, Cravey-Nay, Garza-Absent)	7/19/01: Approved CS-CO, all 3 readings
C14-00-2037	SF-2 to CS	3/04/00: To grant GR-CO w/conditions to limit the site to 2,000 vtpd; prohibit Automotive Repair, Automotive Sales, Automotive Rental, and Automotive Washing; and dedicate 35-feet of ROW from the existing centerline for Boardwalk Drive (6-0, Mather, Web and Robertson-absent)	5/11/10: Approved PC rec. of GR-CO zoning (7-0); 1 <sup>st</sup> reading  8/03/00: Approved 2 <sup>nd</sup> /3 <sup>rd</sup> readings
C14-99-2036	I-RR to GR	10/5/99: Approved GR-CO (7-1, RC-Nay) w/ only permitted GR use being a car wash and prohibiting the following uses: Automotive Rental, Automotive Repair Services, Automotive Sales, Business Trade School, Business Support Services, Commercial Off-Street Parking, Communication Services, Drop-Off Recycling Collection Facility, Exterminating Services, Funeral Services, Hotel-Motel, Indoor Entertainment, Indoor Sports and Recreation, Medical Offices, Outdoor Entertainment, Outdoor Sports and Recreation, Pawn Shop Services, Research Services, Restaurant (General),	11/4/99: Approved GR-CO (6-0); all 3 readings



		Theater, Hospital Services (General), Off-Site Accessory Parking	
C14-98-0238	I-RR to CS	2/2/99: Approved staff alternate rec. of CS-CO, limiting the site to 2,000 vtpd (8-0)	3/4/99: Approved CS-CO (7-0); all 3 readings
C14-98-0229	I-SF-2 to GR	1/19/99: Approved staff rec. of GR-CO, limiting the site to 2,000 vtpd	2/25/99: Approved PC rec. of GR-CO (7-0); all 3 readings
C14-98-0201	I-SF-2 to LI	12/8/98: Approved LI by consent (8-0)	1/7/99: Approved LI-CO w/ condition of 2,000 vehicle trips per day limit (7-0); all 3 readings
C14-98-0199		1/12/99: Approved GR-CO zoning, limiting the site to 2,000 vtpd	2/11/99: Approved PC rec. of GR-CO (5-0); all 3 readings
C14-98-0198	I-RR to GR	1/19/99: Approved staff rec. of GR-CO zoning, limiting the site to 2,000 vtpd (9-0)	2/25/99: Approved PC rec. of GR-CO (7-0), all 3 readings
C14-98-0167	I-SF-2 to CS	11/17/98: Approved staff alternate rec. of CS-CO, w/ 2,000 vehicle trips per day limit, by consent (9-0)	1/21/99: Approved CS-CO w/ conditions (7-0); all 3 readings
C14-98-0152	I-RR to CS	11/10/98: Approved staff alternate rec. of CS-CO, prohibiting adult oriented businesses, by consent (8-0)	12/10/98: Approved CS-CO, with CO limiting the site to 2,000 vtpd (7-0, 1 <sup>st</sup> )  2/25/99: Approved CS-CO (7-0, 2 <sup>nd</sup> / 3 <sup>rd</sup> )
C14-98-0099	I-RR to CS	8/18/98: Approved CS-CO, w/ 2,000 vehicle trips per day limit, by consent (7-0)	10/8/98: Approved PC rec. of CS-CO w/ conditions (6-0); 1 <sup>st</sup> reading  12/10/98: Approved CS-CO w/ conditions (7-0); 2 <sup>nd</sup> / 3 <sup>rd</sup> readings
C14-98-0097	I-RR to CS	8/18/98: Approved CS-CO, w/ conditions (7-0)	10/8/98: Approved PC rec. of CS-CO w/ 35 feet of deferred ROW dedication and 2,000 vehicle trips per day limit by consent (6-0); 1 <sup>st</sup> reading

			12/10/98: Approved CS-CO with conditions (7-0); 2 <sup>nd</sup> / 3 <sup>rd</sup> readings
C14-98-0096	I-SF-2 to LI-CO	8/18/98: Approved CS-CO w/ conditions (7-0)	10/8/98: Approved PC rec. of CS-CO w/ 35 feet of deferred ROW dedication and 2,000 vehicle trips per day limit by consent (6-0); 1 <sup>st</sup> reading  12/10/98: Approved CS-CO w/ conditions (7-0); 2 <sup>nd</sup> / 3 <sup>rd</sup> readings
C14-98-0036	I-SF-2 to LI-CO	4/14/98: Approved LI-CO w/ conditions of 2,000 vehicle trips per day limit, prohibiting Agricultural Sales and Service, Automotive Repair Services, Construction Sales and Services, Equipment Sales, Equipment Repair Services, Scrap and Salvage, Vehicle Storage, Basic Industry, Recycling Center, Resource Extraction, and Railroad Facilities (8-0)	5/14/98: Approved PC rec. of LI-CO w/ conditions (5-0); 1 <sup>st</sup> reading  1/21/99: Approved LI-CO w/ conditions (7-0); 2 <sup>nd</sup> / 3 <sup>rd</sup> readings

**RELATED CASES:** C14-00-2037 (Previous Zoning Case)

**ABUTTING STREETS:**

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro
US Hwy 183	330'	varies	Major Arterial	Yes	No	Yes
Boardwalk	60'	varies	Collector	Yes	No	No

**CITY COUNCIL DATE:** August 26, 2010

**ACTION:** Approved first reading for GR-CO zoning to change a condition of zoning on consent (7-0); Spelman-1<sup>st</sup>, Martinez-2<sup>nd</sup>.

September 30, 2010

**ACTION:**

**ORDINANCE READINGS:** 1<sup>st</sup> 8/26/10

2<sup>nd</sup>

3<sup>rd</sup>

**ORDINANCE NUMBER:**

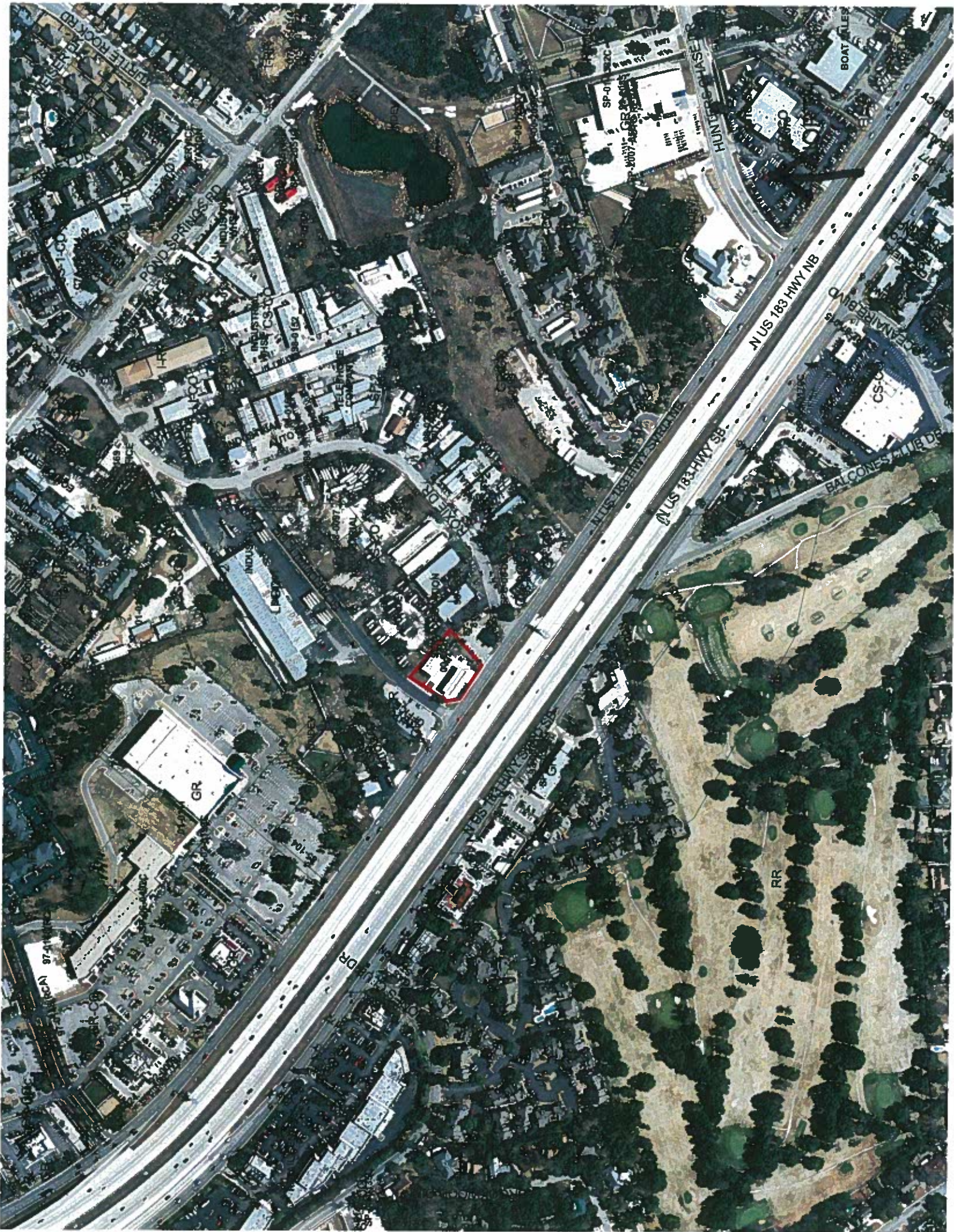
**CASE MANAGER:** Sherri Sirwaitis

**PHONE:** 974-3057

[sherri.sirwaitis@ci.austin.tx.us](mailto:sherri.sirwaitis@ci.austin.tx.us)









## **STAFF RECOMMENDATION**

The staff's recommendation is to grant GR-CO, Community Commercial Services-Conditional Overlay District, zoning. The conditional overlay would limit the development intensity on the site to less than 2,000 vehicle trips per day and would prohibit Automotive Rentals, Automotive Repair and Automotive Washing (of any type) uses on the property.

## **BASIS FOR RECOMMENDATION**

- 1. The proposed zoning should be consistent with the purpose statement of the district sought.*

The Community commercial (GR) district is the designation for an office or other commercial use that serves neighborhood and community needs and that generally is accessible from major traffic ways.

The property in question fronts onto and takes access from U.S. Highway 183 North, a major arterial roadway.

- 2. The proposed zoning should promote consistency and orderly planning.*

The proposed GR-CO zoning for this site would be consistent with the adjacent GR and GR-CO zoning to the north and west and the CS-CO zoning to the east.

- 3. Zoning should allow for reasonable use of the property.*

The proposed zoning of the site to the GR-CO district would allow the applicant to remodel a vacant service station structure to allow for an Automotive Sales use on the property.

## **EXISTING CONDITIONS**

### **Site Characteristics**

The site under consideration is developed with a vacant service station (formerly a Shell Station) located at the northeast intersection of Boardwalk Drive and Research Boulevard (U.S. Highway 183 North).

### **Environmental**

The site is located over the North Edwards Aquifer Recharge Zone. It is in the Desired Development Zone. The site is in the Lake Creek Watershed, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code.

According to flood plain maps, there is no floodplain within or adjacent to the project boundary.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

Trees will likely be impacted with a proposed development associated with this rezoning case. Please be aware that an approved rezoning status does not eliminate a proposed development's requirements to meet the intent of the tree ordinances. If further explanation or specificity is needed, please contact the City Arborist at 974-1876. At this time, site specific information is unavailable regarding other

vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

Under current watershed regulations, development or redevelopment on this site will be subject to the following water quality control requirements:

- Structural controls: Sedimentation and filtration basins with increased capture volume and 2 year detention.

At this time, no information has been provided as to whether this property has any pre-existing approvals that preempt current water quality or Code requirements.

### **Impervious Cover**

The maximum impervious cover allowed by the GS zoning district would be 90%. However, because the watershed impervious cover is more restrictive than the zoning district's allowable impervious cover, the impervious cover is limited by the watershed regulations. Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

<i>Development Classification</i>	<i>% of Net Site Area</i>	<i>% NSA with Transfers</i>
Single-Family Residential (min. lot size 5750 sq. ft.)	45%	50%
One or Two Family Residential (lot size < 5750 sq. ft.)	55%	60%
Multifamily Residential	60%	65%
Commercial	65%	70%

In the Water Quality Transition Zones, impervious cover is limited to 30%.

### **Site Plan/Compatibility Standards**

Site plans will be required for any new development other than single-family or duplex residential.

Any development which occurs in an SF-6 or less restrictive zoning district which is located 540-feet or less from property in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations.

### **Stormwater Detention**

At the time a final subdivision plat, subdivision construction plans, or site plan is submitted, the developer must demonstrate that the proposed development will not result in additional identifiable flooding of other property. Any increase in stormwater runoff will be mitigated through on-site stormwater detention ponds, or participation in the City of Austin Regional Stormwater Management Program if available.

### **Transportation**

No additional right-of-way is required. Right-of-way for Boardwalk Drive was dedicated with the previous zoning case for this site, case C14-00-2037.

Existing Street Characteristics:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro
US Hwy 183	330'	varies	Major Arterial	Yes	No	Yes
Boardwalk	60'	varies	Collector	Yes	No	No

**Water and Wastewater**

The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, utility relocations and or abandonments required by the land use. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility for compliance with City criteria. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

June 15, 2010

Watershed Protection and Development Review Department  
Development Assistance Center/SMART Housing  
505 Barton Springs Road  
Austin, Texas 78704

Boardwalk Rezoning

To Whom It May Concern:

Please accept the application for rezoning of the property located at 13215 Research Blvd. The current zoning is GR-CO as per rezoning case C14-00-2037 with the prohibited uses of Automotive Repair Services, Automotive Sales, Automotive Rentals, and Automotive Washing. This application for rezoning will be removing the prohibited use of Automotive Sales only, as this site will be used to sell automobiles.

If you have any questions, please feel free to contact my office.

Sincerely,



Kerby S. Smith

SCANNED



**ORDINANCE NO. 000803-12**

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP ACCOMPANYING CHAPTER 25-2 OF THE CITY CODE AS FOLLOWS:**

**LOT 3, BLOCK A, BUELL PARK SUBDIVISION, FROM SINGLE FAMILY RESIDENCE STANDARD LOT (SF-2) DISTRICT TO COMMUNITY COMMERCIAL-CONDITIONAL OVERLAY (GR-CO) COMBINING DISTRICT, LOCALLY KNOWN AS 13215 U.S. HIGHWAY 183 NORTH, IN THE CITY OF AUSTIN, WILLIAMSON COUNTY, TEXAS.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

**PART 1.** The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from single family residence standard lot (SF-2) district to community commercial-conditional overlay (GR-CO) combining district on the property described in File C14-00-2037, as follows:

**Lot 3, Buell Park Subdivision, a subdivision in the City of Austin, Williamson County, Texas, according to the map or plat of record in Cabinet B, Slides 346-347, of the Official Plat Records of Williamson County, Texas, (the "Property")**

**locally known as 13215 U.S. Highway 183 North, in the City of Austin, Williamson County, Texas, and as more particularly identified in the map attached as Exhibit "A".**

**PART 2.** The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

- 1. A site plan or building permit for the Property may not be approved, released, or issued, if the completed development or uses of the Property, considered cumulatively with all existing or previously authorized development and uses, generate traffic that exceeds 2,000 trips per day.**
- 2. The following uses of the Property are prohibited:**

**Automotive repair services  
Automotive rentals**

**Automotive sales  
Automotive washing (of any type)**

Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the community commercial (GR) base district and other applicable requirements of the City Code.

**PART 3.** The Council waives the requirements of Section 2-2-3, 2-2-5, and 2-2-7 of the City Code for this ordinance.

**PART 4.** This ordinance takes effect on August 14, 2000.

**PASSED AND APPROVED**

August 3, 2000

§  
§   
§

Kirk Watson  
Mayor

APPROVED:

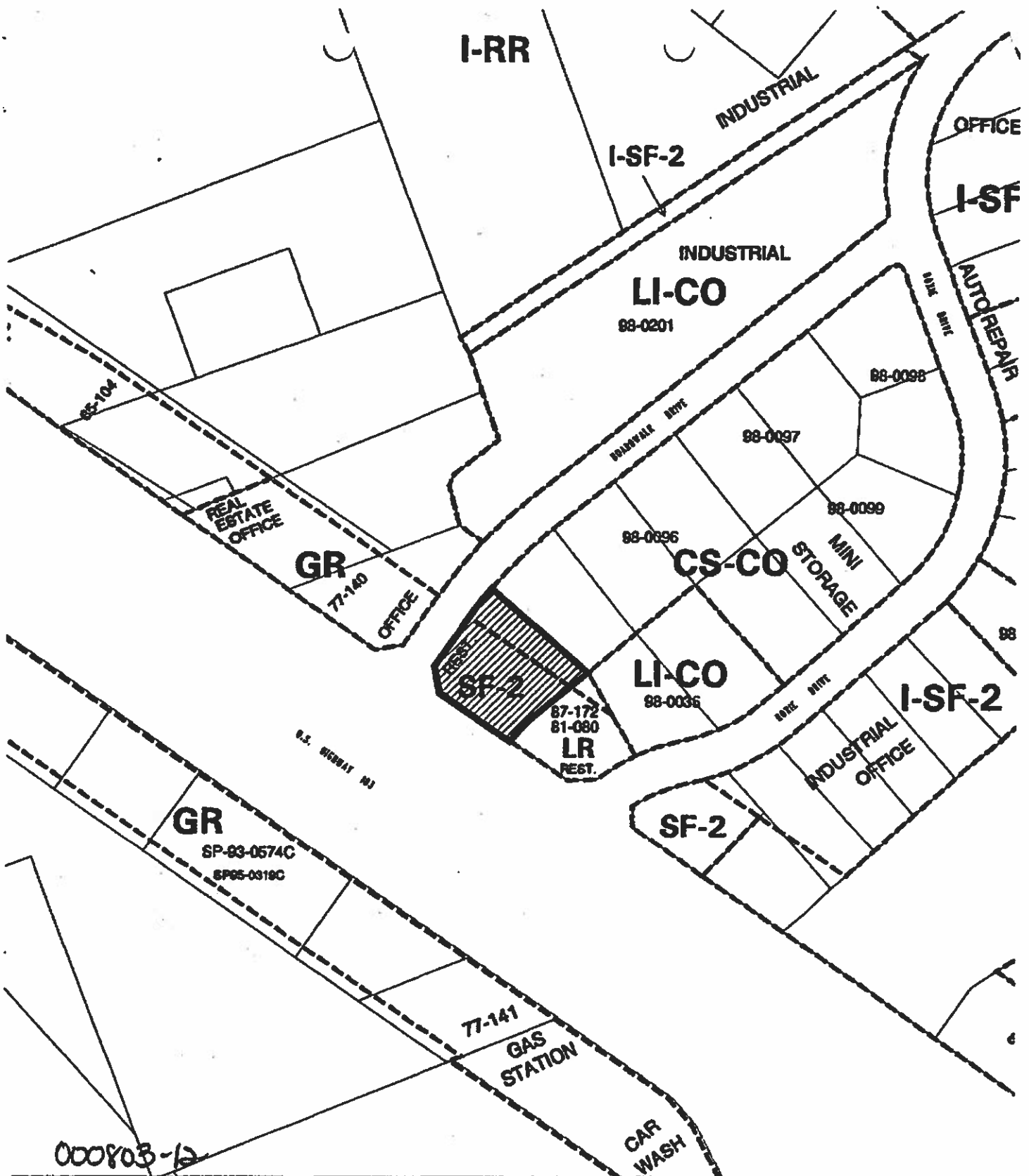


Andrew Martin  
City Attorney

ATTEST:



Shirley A. Brown  
City Clerk



000803-12

 1" = 200'	<b>SUBJECT TRACT</b> 	<b>ZONING EXHIBIT A</b>		<b>CITY GRID REFERENCE NUMBER</b> G37
	<b>PENDING CASE</b> 			
	<b>ZONING BOUNDARY</b> 	<b>CASE #:</b> C14-00-2037		
	<b>CASE MGR:</b> D.WAHLGREN	<b>ADDRESS:</b> 13215 U.S. HWY 183 NORTH SUBJECT AREA (acres): 0.744		
		<b>DATE:</b> 00-02 <b>INTLS:</b> TRC		

## PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:

[www.ci.austin.tx.us/development](http://www.ci.austin.tx.us/development)

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-2010-0096

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: Aug. 3, 2010, Zoning & Planning Commission  
Aug. 26, 2010, City Council

STANLEY L. SCHMER

Your Name (please print)

13264 RESEARCH BLVD.

Your address(es) affected by this application

Stanley L. Schmer

Signature

7/27/10

Date

Daytime Telephone: 512-560-1421

Comments: ALREADY ENOUGH AUTO DEALERS

IN THIS AREA

☐ I am in favor  
☒ I object

If you use this form to comment, it may be returned to:

City of Austin

Planning & Development Review Department

Sherri Sirwaitis

P. O. Box 1088

Austin, TX 78767-8810